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**BEFORE THE ARIZONA CORPORATION COMMISSION**

LEA MÁRQUEZ PETERSON

Chairwoman

Arizona Corporation Commission

SANDRA D. KENNEDY

Commissioner

**DOCKETED**

JUSTIN OLSON

Commissioner

**NOV 21 2022**

ANNA TOVAR

Commissioner

**DOCKETED BY**

JIM O'CONNOR

Commissioner

JM

IN THE MATTER OF THE APPLICATION  
OF EPCOR WATER ARIZONA INC., AN  
ARIZONA CORPORATION: (1) FOR  
APPROVAL OF ITS PROPOSED  
STANDPIPE WATER TARIFF; AND (2)  
ESTABLISHMENT OF A CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR  
STANDPIPE WATER SERVICE ONLY TO  
THE RIO VERDE FOOTHILLS  
COMMUNITY.

DOCKET NO. W-01303A-22-0264

DECISION NO. 78771ORDER

Open Meeting  
November 9 and 10, 2022  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT**Background**

1. On October 14, 2022, EPCOR Water Arizona Inc., ("EPCOR" or "Company") filed a request for approval from the Arizona Corporation Commission ("ACC" or "Commission") to: (1) approve a tariff to provide standpipe water service to the Rio Verde Foothills Community ("Foothills"); and (2) establish a Certificate of Convenience and Necessity ("CC&N") to provide standpipe water service only for the Foothills.

2. In its application, EPCOR requested a "limited CC&N" for the purpose of providing standpipe water service to the residents of Foothills. The existing CC&N rules found in Arizona Administrative Code ("A.A.C.") R14-2-402(B)(5) specifically detail the information necessary for determining sufficiency for a CC&N application. Given the unusual circumstances surrounding

1 water service to the residents of Foothills, EPCOR is requesting a waiver of A.A.C. R14-2-402(B)(5)  
2 (e), (l), (m), (n), (o), (p), (r), (s), (t), (u), (w), (x), (z), (aa), (bb), (cc), (dd), (ee), (ff), and (gg).

3 **Staff Analysis and Recommendations**

4 3. Pursuant to A.A.C. R14-2-411(F), variations or exemptions from the requirements  
5 outlined in Title 14, Chapter 2, Article 4, shall be considered when such variation or exemption is  
6 in the public interest.

7 4. Commission Utilities Division Staff ("Staff") has reviewed EPCOR's application and  
8 the request for a waiver of a portion of the sufficiency requirements. After consideration of all of  
9 the factors involved in providing water service to the Foothills residents and the options available to  
10 those residents moving forward, Staff recommends the Commission approve a waiver of A.A.C.  
11 R14-2-402(B)(5) (e), (l), (r), (s), (t), (u), (w), (x), (z), (aa), (bb), (cc), (dd), (ee), and (gg) in this  
12 docket.

13 CONCLUSIONS OF LAW

14 1. EPCOR Water Arizona Inc. is a public service corporation within the meaning of  
15 Article XV, Section 2, of the Arizona Constitution.

16 2. The Commission has jurisdiction over EPCOR Water Arizona Inc. and the subject  
17 matter of the application.

18 3. The Commission having reviewed Staff's memorandum, concludes it is in the public  
19 interest to approve the waiver of specific Arizona Administrative Code requirements as discussed  
20 herein.

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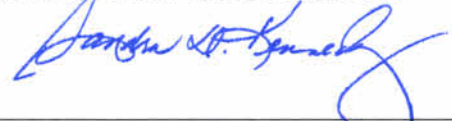
ORDER

IT IS THEREFORE ORDERED that EPCOR Water Arizona Inc.'s request to waive Arizona Administrative Code R14-2-402(B)(5) (e), (l), (r), (s), (t), (u), (w), (x), (z), (aa), (bb), (cc), (dd), (ee), and (gg) is hereby granted for the limited purpose of processing the application to provide standpipe water service to the Rio Verde Foothills Community.

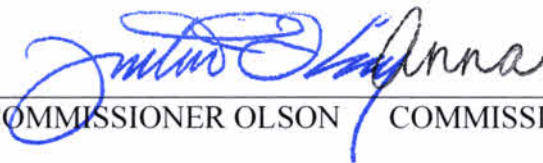
IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

CHAIRWOMAN MÁRQUEZ PETERSON



COMMISSIONER KENNEDY



COMMISSIONER OLSON



COMMISSIONER TOVAR



COMMISSIONER O'CONNOR



IN WITNESS WHEREOF, I, MATTHEW J. NEUBERT, Executive Director of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 21 day of November, 2022.

MATTHEW J. NEUBERT  
EXECUTIVE DIRECTOR

DISSENT: \_\_\_\_\_

DISSENT: \_\_\_\_\_

EOA:RSP:elr/KMU



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2 Docket No. W-01303A-22-0264

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